

**FREQUENTLY ASKED QUESTIONS REGARDING JUVENILE LAW
TEJ LUS UAS TXEEV NUG TSI TSEG TXOG KEVCAI LIJCHOJ RAU
MENYUAM**

Published by:

Marathon County Bar Association Southeast Asian Outreach Committee
State Bar of Wisconsin

With additional contributions from:

Wausau Early Bird Rotary Club
Wausau Area Community Foundation
and
Wausau Area Hmong Mutual Association

This brochure provides information of a general nature regarding legal matters. None of the information contained in this brochure is intended as legal advice or opinion regarding specific matters or issues. If you are confronted with a situation involving issues discussed in this brochure, you should contact an attorney for legal advice. If you feel that you are unable to pay for an attorney, contact the State of Wisconsin Public Defender (Wausau 715-842-1603) or Judicare (Wausau 715-842-1681).

Phau ntawv no qhia txog kev cai lijchoj. Cov lus hauv phau ntawv no tsi yog tsim los pab tuav tswvyim lossis muab tswvyim txog ib yam dabtsi ntsigtxog kev cai lijchoj. Yog koj ntsib tej yam teebmeem uas hais muaj nyob hauv phau ntawv no, koj yuav tsum tau mus nrog kws lijchoj sablaj. Yog koj xav tias koj yuav them tsi taus nqi kws lijchoj, ces hu xovtooj rau Wisconsin Public Defender hauv Wausau ntawm (715) 842-1603 lossis Judicare hauv Wausau ntawm (715) 842-1681.

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Introduction

Lus qhib thawj

The Marathon County Bar Association created the Southeast Asian Outreach Committee in September 1999 to better serve the needs of our whole community. Many attorneys volunteered to serve on the Committee. Those attorneys began working quickly. Over a period of several months, the Committee conducted an informal survey of immediate needs in the Southeast Asian Community. With the assistance of the Wausau Area Hmong Mutual Association and several respected members of the Southeast Asian Community, it was determined that the Committee needed to provide the Southeast Asian Community, as well as the whole community in general, with additional information regarding juvenile legal matters. The Committee determined that written brochures on the subjects of juvenile law and children in need of protection or services (CHIPS) was the best approach to satisfy the community needs.

Marathon County Bar Association tau tsim tsa muaj Southeast Asian Outreach Committee (Rooj Zeem Txog Kev Pabcuam Tsoom Neeg Esxias) lub 9 hli 1999 los pab saibxyuas txug tej kev cheemtsum muaj nyob hauv peb lub zej zog. Muaj ntau tus kws lijchoj tshwm dag zog dawb los koom uake hauv lub committee no. Lawv maj nroos los les teg dejnum no. Lub committee no tau sojntsuam txog tej kev cheemtsum tau kev pab ntawm tsoom neeg Esxias li ob peb lub hlis uake. Koomhaum Hmoob thiab lwm tus hauv tsoom neeg Esxias kuj tau nrog sablaj thiab pom tau tias yuav tsum muaj ntawv qhia txog cov cai lijchoj tswj menyum rau sawvdaws paub. Lub committee no thiaj txiavtximsiab tias kev sau ib phau ntawv txog cov cai tswj cov menyum uas yuav tsum tau txais kev tivthaiv thiab pabcuam yog ib qhov uas zoo rau lub zej zog.

This brochure summarizes the most frequently asked questions regarding the legal issue addressed at the time of the Committee's survey. This brochure is meant to be a starting point for general inquiries. It is not an exhaustive explanation of legal terms, procedures, or individual rights. This brochure is not intended to provide legal advice. If you are confronted with an issue addressed by this brochure, you should consult with an attorney for specific legal advice.

Phau ntawv no muaj tej lus uas txeev nug txog thaum lub Committee tseem tabtom tshawbseeb txog tej teebmeem kev cai lijchoj. Nws yog kev npaj los siv ua chaw qhib kev sibtham. Nws yuav tsi hais tau ntxaws ntxaws txog tej lus lijchoj, kabke lossis tus kheej txoj cai. Phau ntawv no tsi yog tsim los tuavxam txog kev cai lijchoj. Yog koj ntsib tej yam uas phau ntawv no hais txog, tsimnyog koj yuav tsum mus ntsib kws lijchoj txog yam uas koj ntsib ntawd.

The Southeast Asian Outreach Committee received a Local Bar Competition Grant from the State Bar of Wisconsin to assist in the funding of this project. However, many attorneys volunteered extensive hours to complete this brochure. In addition, the Wausau Area Hmong Mutual Association provided many volunteers to assist in the translation of often complicated legal terminology. Special thanks also goes to the Wausau Early Bird Rotary Club for its help in assisting the Committee with extensive printing and translating costs. In addition, special thanks goes to the Wausau Area Community Foundation for their generous grant which has made it

possible to publish a very large number of the brochure for wider use.

Southeast Asian Outreach Committee tau kev pab nyiaj txiag los ntawm Local Bar Competition Grant uas tuaj hauv State Bar of Wisconsin txhawm tej nujnqis ua tes dejnum no. Txawm li ntawd los, muaj coob tus kws lijchoj tseem tshwm dag zog dawb los pab tsim phau ntawv no thiab. Ntxiv ntawd, Koomhaum Hmoob Wausau los kuj tau pab txhais tej lus ntsigtxog cai lijchoj uas nyuaj no. Ua tsaug tshwjxeeb rau lub koomhaum Wausau Early Bird Rotary Club uas tau pab txhawm tej nqi luam thiab txhais. Dhau li ntawd, uatsaug tshwjxeeb rau Wausau Area Community Foundation uas tau pab nyiaj los ntawm lub siab dawb paug thiaj luam tau phau ntawv no kom ntau txaus siv.

The members and honorary members of the Southeast Asian Outreach Committee for the year 1999-2002 are:

Tsoom tswvcuab thiab cov muaj meejmom hauv Lub Rooj Zeem Txog Kev Paabcuam Tsoom Neeg Esxias rau xyoo 1999-2002 yog:

Shane W. Falk, Chairperson
Michael K. Moran
Shane VanderWaal
Scott Corbett
Steve VanHoof
Peter Yang
Shu Blong Her
Don Hermanson
John Shull
David Groose
Anne Jacobson
John Jokela

FREQUENTLY ASKED QUESTIONS REGARDING JUVENILE LAW TEJ LUS UAS TXEEV NUG TSI TSEG TXOG KEVCAI LIJCHOJ RAU MENYUAM

1. What is the difference between juvenile court and adult court?

Plaubntug menyuam thiab plaubntug laus txawv licas?

There are several major differences between the adult court and juvenile court. You can appear in juvenile court if you are at least ten years old and under 17 years old. You are considered an adult at age 17 or older. Each stage of the process has a different name depending on which court you are in. For example, you can have a fact-finding hearing in juvenile court tried before a judge only. In adult court, you can have a trial, either tried by jury or by a judge. In juvenile court, you may be adjudicated delinquent, but in adult court, you can be found guilty and convicted of a crime. You cannot go to jail or prison, or be on probation in juvenile court, but you can in adult court. At age 18, your juvenile record of delinquencies is not accessible to the public, but in adult court, your criminal record remains open to the public for the rest of your life, unless you get a pardon from the Governor. Finally, the public can attend adult court hearings, but juvenile court hearings are confidential and not open to the public.

Nws muaj ob peb yam txawv nruabnrab ntawm kev plaubntug rau cov laus thiab plaubntug menyuam. Koj yuav raug plaubntug menyuam yog koj hnuvnyoog 10 xyoo rov saum thiab yau tshaj 17 xyoo. Koj yuav raug xam tias yog ib tus neeg laus yog tias koj muaj 17 xyoo rov saum. Tej theem hauv cov kabke uas siv no nyias kuj zoo txawv nyias nyob ntawm lub tsev txiavtxim uas koj raug xwb. Piv xam li, hauv plaubntug menyuam koj raug hais cai tim ntsej tim muag ntawm tus txiavtxim xwb. Nyob hauv plaubntug laus, koj yuav raug hais cai los ntawm ib pab neeg mloog cai (jury) lossis ntawm tus kws txiavtxim. Hauv kev plaubntug menyuam koj yuav raug liam tias ua txhaum cai, tabsis hauv plaubntug laus koj yuav raug liam txhaum thiab raug teem txim. Koj yuav tsi raug nyob nkuaj thiab tsev lojfaj hauv plaubntug menyuam, tabsis koj yuav raug nyob nkuaj thiab tsev lojfaj hauv plaubntug laus. Thaum muaj 18 xyoo, koj tej ntaubntawv kev txhaum yuav tsi tawm rau twg pom, tabsis hauv plaubntug laus, koj tej ntaubntawv kev txhaum yuav tawm tau rau txua tus pom mus tag ib sim, tsuas tshwj tias koj raug thawj pwwtsav xeev (governor) zam txim xwb. Kawg no, pejxeem huabhwv yuav hnov koj rooj plaub tau, tabsis tus menyuam rooj plaub li yuav tsi tso rau leej twg hnov thiab yuav tsi qhib rau twg pom.

2. If I am 17 years old, am I still a juvenile?

Yog kuv hnuvnyoog 17 xyoo, kuv puas tseem yog menyuam?

No. Juvenile court no longer has jurisdiction and you can be charged as an adult and can be sentenced to adult probation, jail, and even prison.

Tsiyog. Tsev plaubntug menyuam tsi muaj cai tuaj saum koj lawm thiab koj muaj feem raug liam txim laus, raug txim laus, nyob nkuaj, thiab nyob tsev lojfaj.

3. Who can attend juvenile hearings? Can the press attend juvenile hearings?
Leejtwg thiaj mloog tau menyuam rooj plaub? Cov neeg sau xovxwm puas mloog tau?

The parties, parents, social workers, and alleged victim may attend juvenile hearings. The media may also attend juvenile hearings if they ask for permission from the judge, but they may not disclose any information about the juvenile.

Cov uas muaj feem txuamyuaj, niamtxiv, social workers, thiab tus uas raug (victim) muaj cai mloog plaubntug menyuam. Cov neeg sau xovxwm los muaj cai mloog tau thiab yog tias lawv thov lus tsocai ntawm tus kws txiavtxim, tabsis lawv tsi muaj cai tso tej txheejxwm ntawm tus menyuam tawm.

4. If I am placed in secure or non-secure detention, does that cost me anything?
Yog kuv raug nyob nkuaj zov nruj lossis nkuaj tsi zov nruj, qhov ntawd puas raug nqi liscas rau kuv?

Yes. If you are placed in a non-secure facility like the Marathon County Shelter Home, you parents may be billed up to \$110.00 per day. If you are placed in secure detention, they may be billed up to \$130.00 per day. At the end of your case, the judge will determine if you must pay for the costs of the detention and will ask your parents about their ability to pay for the detention. The County will then work out arrangements to collect the money from your parents.

Raug, yog koj raug nyob hauv tsev saibxyuas uas tsi zov nruj xwsi hauv Marathon County Shelter Home, koj niam koj txiv yuav raug them li \$110.00 ntawm ib hnuv. Yog koj raug nyob hauv cov tsev zov nruj, nkawv yuav raug them \$130.00 ntawm ib hnuv. Thaum kawg koj cov plaubntug, tus kws txiavtxim yuav xam seb koj yuav them cov nqi liscas thiab yuav hais saib koj niam koj txiv puas yuav them taus liscas. Ces lawv yuav khom sijhawm los sau tej nujnqis ntawm koj niam koj txiv.

5. What is the difference between a foster home, a treatment foster home, and a group home?
Tsev niamtxiv qhuav, tsev niamtxiv qhuav tu menyuam, thiab tsev nyob coob uake sib txawv liscas?

A foster home, treatment foster home, and a group home are all places in the community you can be ordered to go if the judge places you on supervision with Social Services. All three placements allow you to remain in the community and attend public school. Being placed at a foster home is very much like living at somebody else's house. At a foster home you would be living with foster parents who take care of you and possibly 3 other kids placed on supervision. You have to follow the household rules of your foster parents, as well as the rules of your social worker.

Lub tsev niamtxiv qhuav, tsev niamtxiv qhuav tu menyuam, thiab tsev nyob coob uake yog tej chaw uas koj yuav tau mus nyob yog tias tus kws txiavtxim kom Social Service nrog saibxyuas koj. Hauv cov chaw no luag pub koj nyob hauv zej zog thiab mus kawmntawv. Yog raug mus nyob hauv tsev niamtxiv qhuav nws kuj zoo li koj mus nyob lwm tus neeg lub tsev xwb. Nyob hauv tsev niamtxiv qhuav koj raug niamtxiv qhuav saibxyuas tejzaud kuj nrog txog 3 tug menyuam nyob uake rau lawv saibxyuas. Koj yuav tsum tau ua raws li cov cai hauv niamtxiv qhuav lub tsev, thiab cov cai uas tus social worker tau teeb tseg.

At a treatment foster home, you would also be living with foster parents and possibly 3 other kids, but these foster parents are expected to deal with kids that have more severe behavioral or emotional problems. It is very much like a foster home atmosphere, however treatment foster parents have greater access to a social worker or a worker from Children's Service Society. Treatment and counseling are often part of this placement.

Hauv tsev niamtxiv qhuav tu, koj yuav tau nrog niamtxiv qhuav nyob thiab kuj yuav muaj li 3 tug menyuam nrog koj nyob uake, tabsis niamtxiv qhuav yuav saibxyuas tus menyuam uas muaj teebmeem ntau tshaj. Nws kuj zoo li lub tsev niamtxiv qhuav thiab, tabsis lub tsev niamtxiv qhuav tu no muaj feem ua haujlwm ntau tshaj nrog rau tus social worker lossis tus uas tuaj hauv Children Service Society tuaj. Kev tu thiab nplijnpliag yog ib feem ntawm qhov uas raug tso mus nyob hauv qhov chaw no.

A group home is quite different from a foster or treatment foster home. A group home is a placement with up to 8 kids on supervision. It is staffed with workers who provide 24 hour hands-on supervision. There is a much higher level of structure like eating, chores, education, recreation, treatment and counseling. Many individual group homes have a specific emphasis towards kids with special issues like alcohol or drug abuse.

Lub tsev nyob ua npoj txawv mentsis tsev niamtxiv qhuav lossis tsev niamtxiv qhuav tu menyuam. Lub tsev nyob coob uake no muaj txog li ntawm 8 tus menyuam nyob uake rau luag tso mkwm saibxyuas. Luag muaj neeg ua haujlwm saibxyuas 24 txoos teev ntawm ib hnub. Muaj kev coj cai xwsli kev nojhaus, tu vaj tu tsev, kev kawm, kev uasi, kev saibxyuas thiab nplijnpliag nyob rau hauv. Muaj ntau lub tsev nyob coob uake no xaiv yuav tib co menyuam uas muaj teebmeem tshwjxeeb xwsli teebmeem dejcawv lossis yeebtshuaj xwb.

6. What can happen if I am found to be delinquent?

Yuav muaj dabtsi yog tias luag pom kuv txhaum lawm?

The Judge can place you on supervision. Supervision is like adult probation because you are assigned a worker from Social Services who will monitor you for a period of one year. The Social Worker can make you do several things while on supervision such as reporting to the worker on a regular basis, participate in counseling, do community service, be tested for drugs or alcohol, and pay restitution for any damages resulting from the delinquency. While on supervision, you will not be allowed to associate with any friends who are also on supervision.

You will have to go to school complete all school assignments. If you fail to follow the rules of supervision, the judge can sanction you. Some of the sanctions available to the judge are to do community service, placement in secure or non-secure detention, home monitoring on an ankle bracelet, and suspension of driving privileges. If you do not follow the rules, the judge may also place you in a foster home, a group home, or residential treatment center. You may also be placed in Lincoln Hill Juvenile Correctional facility.

Tus kws txiavtxim yuav tso neeg saibxyuas koj. Kev saibxyuas no zoo xwsli kev soj saib (probation) cov laus vim tias yuav muaj neeg ua haujlwm hauv Social Services saib rawv koj txog li ib lub xyoos. Tus Social Worker yuav kom koj ua qho yam thaum koj nyob hauv nws kev saibxyuas xwsli mus ntsib tus neeg ntawd ua ntu zus, koom nrog kev nplijnpliag, ua haujlwm pab zej zog, raug sim saib koj puas siv yeebtshuaj lossis dejcawv, thiab them tej nqi uas muaj los ntawm koj tej kev ua txhaum. Thaum luag saibxyuas koj, luag yuav tsi pub koj ntsib tej phoojywg uas raug saibxyuas ib yam li koj thiab. Koj yuav tsum tau mus kawmntawv thiab ua txhua yam ntawv kom tiav. Yog koj ua tsi raws li cov cai saibxyuas no, tus kws txiavtxim yuav yuam cai rau koj coj. Qho yam uas tus kws txiavtxim yuav yuam tau yog, mus ua haujlwm pab zej zog, coj koj mus nyob tej chaw zov nruj lossis zov tsi nruj, dai tswb taws, thiab rho koj txoj cai tsav tsheb tawm. Yog koj tsi ua li cov cai no, tus kws txiavtxim yuav tso koj mus nyob hauv tsev niamtxiv qhuav, tsev nyob coob uake, lossis cov vajtse uas luag tu tibneeg. Koj kuj yuav raug tso mus nyob hauv Lincoln Hill Juvenile Correctional Facility (lub chaw kaw cov menyuaum ua txhaum cai) thiab.

7. If I am found guilty of a felony delinquency, can I possess a firearm?

Yog kuv txhaum lub txim loj, kuv puas muaj cai muaj phom?

If you are found guilty of a charge that would be considered a felony if you were an adult, you will lose your right to possess firearms for the rest of your life. Future possession of a firearm is a felony offense. You may have the right restored to you if you are able to get the delinquency expunged from your record or you received a pardon for the offense.

Yog koj raug txhaum rau qhov uas luag xam hais tias yog txim loj es koj yog ib tug laus koj yuav poob txoj cai muaj phom mus tas koj sim neej. Yog koj tseem muaj phom yav pemsuab nws yuav yog lub txim loj. Koj kuj tseem yuav muaj cai rov muaj phom tau yog koj cov kev txhaum raug muab rho tawm hauv koj tej ntaubntawv lawd lossis koj lub txim raug zam lawm.

8. Do I have a record when I turn 18 if I have been found delinquent? Can I ever get my juvenile record erased (expunged)?

Kuv puas yuav muaj lub koob txhaum tseg cia yog thaum kuv puv 18 xyoo thiab raug txhaum lawm? Kuv puas yuav tua tau kuv tej ntaub ntawv kev txhaum uas thaum tseem yau li?

Yes. Once you reach the age of 18 years of age, your juvenile record is sealed and the public cannot get access to your record unless they ask for special permission from the Judge. You

may, however, ask that your delinquency record be expunged. A juvenile who has been adjudged delinquent may, on attaining the age of 17 years of age, petition the court to expunge the court's record of the juvenile's adjudication if the court determines that the juvenile has satisfactorily complied with the conditions, of his or her dispositional order and the juvenile will benefit and society will not be harmed by the expungement.

Tau. Thaum koj puv 18 xyoo lawm, koj lub koob txhaum thaum tseem yau raug muab kaw tseg thiab tsi muaj leej twg muab tau tsuas tshwj luag tau kev tsocai tshwjxieb los ntawm tus kws txiavtxim. Koj muaj cai hais kom luag muab koj tej koob txhaum tshem tawm huv si. Tus menyuam uas raug txiavtxim txhaum lawm, txog hnuv uas puv hnuvnyoog 17 xyoo, thov tau tsev tswj cai tshem nws tej koob txhaum tseg yog tias tsev tswj cai pom tias tus menyuam yeej ua tau rawsli tsev txiavtxim tau kom tseg lawm lossis ua li uas tau teemtxim rau lawm thiab tus menyuam yuav tau txiajntsim los ntawm qhov no thiab lub zej zog yuav tsi raug kev limhiam los ntawm qhov uas tshem koob txhaum li no.

9. What happens when I go to corrections?

Muaj dabtsi tshwm yog tias kuv raug xa mus rau tsev txhim kho?

Once you are ordered to corrections by the judge, your legal custody is transferred to the Department of Social Services. If you are male, the Sheriff's Department then transports you to Lincoln Hills in Irma, WI or Ethan Allen in Wales, WI. If you are a female, you are transported to Southern Oaks in Fond du Lac, WI. If you are a female, you are transported to Southern Oaks in Fond du Lac, WI. These places are very much like adult jail. They are surrounded by fences, supervised by 24 hour staff and you cannot leave. You will live and spend time in places that are "jail cells." All food, clothing, education, and treatment will be provided to you. Once you are received by the individual facility, a committee will review your case to make sure you have been properly placed there and to determine your individual educational needs.

Thaum tus kws txiavtxim xa koj mus rau tsev txhim kho lawd, luag yuav tso koj mus rau cov neeg hauv Department of Social Services saibxyuas. Yog koj yog ib tug txivneej, Rooj tub Ceevwm Sheriff yuav thauj koj mus rau pem Lincoln Hills uas nyob rau lub zos Irma, WI lossis Ethan Allen uas nyob lub zos Wales, WI. Yog tias koj yog ib tug pojniam, koj yuav raug thauj mus rau hauv Southern Oak uas nyob lub zos Fond du Lac, WI. Tej tsev so no nws zoo tib yam li tsev lojfaj. Nws muaj ntsa lajkab thaiv ib ncig, muaj neeg zov 24 txoos teev thiab koj tawm tsi tau. Koj yuav nyob laug sijhawm hauv "nkuaj hlaus." Kev noj haus, khaubncaws hnav, kev kawm, thiab kev tu yuav muaj pub rau koj tib sis. Thaum lawv txais koj rau cov chaw no lawm, muaj ib pab neeg yuav sojntsuam koj kom paub tseeb tias koj raug tso rau qhov chaw uas haum koj lawm thiab luag yuav xyuas txog koj tej kev kawm.

10. Do I have the right to a jury trial? What is a fact-finding hearing?

Kuv puas muaj cai tau cov txwjlaug mloog plaub? Mloog xaivlus tshawb-nrhiav kev tseeb yog dabtsi?

No. You have no right to a jury trial. You have a right to a trial to the court where evidence is presented by the district attorney and your attorney to a judge and the judge decides your guilt or innocence.

Tsi muaj. Koj tsi muaj cai tau cov txwjlaug mloog plaub. Koj muaj cai hais plaub hauv tsev txiavtxim uas yuav hnov tej lus nias cai ntawm tus kws lijchoj nias cai thiab tus kws txiavtxim mam li txiavtxim tias koj txhaum los tsi txhaum.

A fact-finding hearing is a court trial to the judge. You do not have the right to a jury trial as a juvenile. The judge will decide whether you have committed the delinquency or not. The district attorney will present evidence through witnesses. You will be able to ask the witnesses questions. You will also be able to call witnesses on your own behalf to tell your side of the story. After the witnesses have testified, the judge will then decide if you have committed what the delinquency petition has alleged that you did. If the judge decides you did not do it, the case is dismissed. If the Judge decides that you did it, then the judge will find you delinquent and set the case for a dispositional hearing, which is like a sentencing in adult court.

Kev tshawb nrhiav lus tseeb yog ib qho hais txim los ntawm ib tug kws txiavtxim. Koj tsi muaj cai tau cov txwjlaug mloog plaub yog tias koj yog ib tus menyuam. Tus kws txiavtxim yuav txiavtxim tias koj tau ua txhaum cai lossis tsi tau ua. Tus kws lijchoj nia cai yuav siv timkhawv los liam txim rau koj. Koj muaj cai nug cov neeg uas ua timkhawv ntawd. Koj kuj muaj cai siv timkhawv los tuaj koj tog tib yam nkaus. Tomqab uas cov neeg ua timkhawv hais tag, tus kws txiavtxim yuav txiavtxim seb koj puas txhaum li uas tau liam ntawd. Yog tus kws txiavtxim hais tias koj tsi txhaum, ces tej xaiv lus ntawd raug muab xuum mus xwb. Yog tus kws txiavtxim txiavtxim tias koj tau ua txhaum lawm, ces tus kws txiavtxim yuav xa koj mus rau hauv lub rooj teemtxim, uas zoo yam li tus laus rooj plaub teemtxim lawm.

11. How much do I have to pay for restitution?

Kuv yuav tau them nqi kho kev txhaum pestsawg?

If you are under the age of 14, the maximum you have to pay for restitution is \$250.00. The amount of restitution will be determined by social services and the judge will order you to pay said amount as long as the court makes a finding that you alone are financially able to pay or physically able to perform the services. If you disagree with the amount of restitution, you may ask for a hearing in front of the judge to explain to the court as to why you do not owe as much or any restitution. Also, your parents may be liable for restitution if you are unable to pay.

Yog koj lub hnuvnyoog yau tshaj 14 xyoo, tus nqi kho kev txhaum uas siab tshaj plaws yog \$250.00. Tus nqi kho kev txhaum ntawd yuav yog social service ua tus khom thiab tus kws txiavtxim yuav hais kom koj them li khom tseg yog tsev txiavtxim pom tau tias

koj muaj nyiaj txiag yuav them taus thiab muaj tus dagzog uas yuav ua haujlwm los pauv qhov nqi txhaum ntawd. Yog koj tsi pomzoo li tus nqi uas khom tseg, koj muaj cai thov hais cai dua timntsej timmuag ntawm tus kws txiavtxim seb yog licas koj thiaj xav tias koj qhov txhaum tsi raug nqi nyav npaum ntawd. Koj niam koj txiv yuav raug them tus nqi kev txhaum no yog tias koj them tsi taus.

12. Can I substitute the judge that I have in my case?

Kuv puas muaj cai hloov tus kws txiavtxiv rau kuv tej xaiv lus?

Yes, so long as you have never had a prior juvenile disposition with a judge. If you have had a prior juvenile disposition with a judge, then you do not have a right to substitute the judge and you will have the judge that you previously had in your earlier disposition.

Muaj, yog tias yav tas los koj yeej tsi tau raug teemtxim los ntawm ib tug kws txiavtxim hlo li. Yog koj twb txeev muaj li no los lawm, ces koj tsi muaj cai hloov kws txiavtxim thiab koj yuav tau tus kws txiavtxim uas tau txiavtxim rau koj zaum tas los lawm.

13. What is a plea advisement form?

Daim ntawv ntuas kev lees txhaum yog dabtsi?

A plea advisement form is a document which you must review prior to any admissions of guilt by you of a delinquency. This document explains all of your constitutional rights, the elements of what the state would have to prove of the crime but which you are admitting and a listing of all of the options a judge has if you are found delinquent including, among other things, placements and counseling.

Daim ntawv ntuas kev lees txhaum yog ib daim ntawv uas koj yuav tsum tau saib uantej koj lees ib qho kev txhaum dabtsi. Daim ntawv no piav txhua yam txog koj txoj cai, cov xaiv lus uas xeev yuav tau siv timkhawv los liam txhaum tabsis yog tej uas koj tau lees thiab teev tseg txhua txoj hauv kev uas tus kws txiavtxim muaj yog tias luag pom tias koj txhaum lawm nrog rau lwmyam, kev nyob chaw tso koj thiab kev nplijnpliag huv si.

14. If I am placed in secure detention or the shelter home, do I get a hearing to see if I can be released?

Yog kuv raug nyob txim hauv qhov chaw zov nruj lossis tsev saibxyuas, kuv puas yuav tau rov hais cai dua saib luag puas tso kuv?

Any juvenile that is placed in custody and is not released to a parent is entitled to a hearing to determine whether the juvenile should continue to be held in custody. That hearing must be conducted before a judge or court commissioner within 24 hour after the end of the day that the decision was made to hold the juvenile, excluding Saturdays, Sundays, and legal holidays. A juvenile can waive that hearing in writing and remain in custody beyond the 24-hour limit.

Ib tus menyuam uas raug ntes tau thiab tsi tso mus rau niamtxiv muaj cai mus hais cai los ntsuamxyuas saib puas yuav tsimnyog tuav nws ntev ntxiv lawm. Rooj hais xaiv lus no yuav tsum yog hais ntawm tus kws txiavtxim lossis tus nrog txiavtxim li 24 txoos teev tomqab uas txiavtxim tias yuav tsum tau tuav nws cia tso, tsi xam hnuv Saturday, Sunday, thiab hnuv so ua koobtsheej (holiday). Tus menyuam muaj cai zam lub rooj hais cai los ntawm kev sau ntawv thov thiab ua siab nyob hauv tsev kaw neeg tshaj 24 txoos teev.

15. When am I eligible for a court appointed attorney and what will it cost?

Thaumtwg kuv thiab yuav tau ib tug kws lijchoj uas tsev txiavtxim muab rau kuv thiab yuav raug nqi le cas?

All juveniles are eligible for a public defender up to the age of 17. The court can order your parents to pay for a public defender if you are alleged to have committed a felony for up to \$400 and up to \$200 for a misdemeanor so long as your parents have the ability pay. However your parents will not have to pay for the cost of your public defender so long as if they are the complainants in the case or the case substantially effect their interest. You as a juvenile are not legally obligated to pay for costs of a public defender.

Txhua tus menyuam muaj cai tau ib tug txheem plaub pejxeem txog thaum nws muaj noobnyoog 17 xyoo. Tsev txiavtxim yuav hais kom niamtxiv them tus nqe kws lijchoj li \$400 yog tias tug menyuam raug txhaum lub txim loj thiab \$200 rau tus uas raug txhaum lub txim me yog tias niamtxiv muaj txawm peem los them taus. Tabsis koj niam koj txiv yuav tsi raug them yog tias nkawv yog ob tug uas nroo txog qhov ua txhaum no lossis qhov liam txhaum no yog li nkawv siab xav. Koj tus uas yog menyuam tsi muaj txoj cai yuam kom muaj feem los them tus nqi public defender.

16. What is a Social Worker? Intake worker? District Attorney? Defense Attorney?

Tus Social Worker yog dabtsi? Tus intake worker nev? Tus kws lijchoj nias cai nev? Tus kws lijchoj txheem cai nev?

A social worker is the person assigned by the county to the juvenile. The social worker makes recommendations to the court for the disposition when the juvenile is found delinquent. They supervise the juvenile if he/she is found to be delinquent, coordinate resources for the juvenile and the juvenile's parent s such as counseling. They may also monitor school attendance. The social worker makes sure the juvenile is following the order of the court and reports to the court if the juvenile is not following that order so the juvenile may be sanctioned.

Tus social worker yog ib tus neeg uas raug tso cai hauv county mus rau tus menyuam. Tus social worker yog tus uas tshwm tswvyim los tswj tus menyuam thaum uas pom tias nws ua txhaum lawm. Lawv yog cov uas tswj, saibxyuas haukev los pab tus menyuam thiab niamtxiv xwsli kev nplijnpliag. Lawv yuav saibxyuas txog kev mus kawmntawv tsi tu ncuu. Tus social worker tseev kom tus menyuam ua raws li tsev tswj

cai hais thiab qhia tsev tswj cai paub yog tias tus menyuam tsi ua li hais ces yuav raug yuam kom ua.

The intake worker is someone who gets information from law enforcement and then makes the decision on whether or not to send the information to the district attorney's office for charges, or to place the juvenile on informal supervision, which means the juvenile and his/her parents at an intake conference before making a decision on the charges.

Tus intake worker yog ib tug uas muab tej txheejxwm ntawm tub ceevxwm thiab muab kev txiav txim siab seb yuav xa tej txheejxwm ntawd mus rau tus kws lijchoj nias cai ua kev liam txhaum los tsi xa, lossis muab tus menyuam tso rau tej kev tsomkwm saibxyuas, uas hais tau tias tus menyuam thiab niamtxiv muaj feem ntsib nrog tus intake worker hauv lub rooj sibntsib uantej txiav txim siab liam txhaum.

The district attorney is the person who represents the State of Wisconsin in all delinquency cases. The district attorney is responsible for making the decision on what charges to file, and is responsible for proving the facts to the court before the juvenile can be found to be delinquent. The district attorney may make a settlement offer in order to resolve the case prior to trial.

Tus kws lijchoj nias cai yog ib tug sawvcev xeev Wisconsin rau txhua tus qhov uas muaj kev ua txhaum cai. Tus kws lijchoj nias cai muaj feemxyuam txiavtximsiab seb yuav liam lub txim twg, thiab muaj feemxyuam muab tej lus tseeb rau tsev tswj cai uantej tus menyuam raug pom tias tau ua txhaum lawm tias. Tus kws lijchoj nias cai muaj feem yuav khom lus daws txim kom tsi txhob raug mus hais plaub.

The defense attorney represents the juvenile in court and makes sure that the juvenile's rights are not violated. The defense attorney will meet with the juvenile and discuss with him/her the case and prepare for hearings in court.

Tus kws lijchoj txheem cai sawvcev tus menyuam nyob rau hauv tsev hais plaub thiab saibxyuas kom tus menyuam txoj cai tsi raug yuam. Tus kws lijchoj txheem cai yuav ntsib tus menyuam thiab tham nrog nwg txog cov teebmeem thiab npaj hais plaub hauv tsev hais plaub.

17. What is JIPS? What is a delinquency?

JIPS yog dabtsi? Kev ua tsi raws cai yog dabtsi?

JIPS stands for **J**uvenile **I**n need of **P**rotection or **S**ervices. A juvenile in need of protection or services is a person under the age of 18:

JIPS yog **J**uvenile **I**n need of **P**rotection or **S**ervices. Ib tus menyuam uas yuav tsum tau kev tivthaiv thiab pabcuam yog tus uas tsi tau puv noobnyoog 18 xyoo:

- 1) whose parents or guardians request assistance from the State because:
tus uas niamtxiv lossis tus tsomkwm hais kom xeev pab vim yog:
 - a. they need help controlling the juvenile or;

lawv xav tau kev pab tswj tug menyuam lossis;

- b. the juvenile has run away from home for a long or consistent period of time:
tus menyuam tau khiav tawm hauv tsev lawm ntev loo lossis xij pheej
khiav tawm tsi tseg:

- 2) who has missed all or part of 5 days in school in a semester;
tus uas tau tu ncuu tag nrho lossis ib feem ntawm 5 hnuv kawmntawv tuaj ib
nrab xyoo;
- 3) who has stopped attending school or any other educational program all together and
does not have a high school diploma or its equivalent.
tus uas tso tseg tsi mus kawmntawv lossis tag nrho lwm yam txheejtxheem
kev kawm thiab tsi tau high school daim cim thawj kawmntawv tiav lossis
daim kawm tiav sib txig zog li ntawd.
- 4) who has done something that would be a crime if committed by an adult and is not
responsible for the act because of a mental disease or defect or because he or she is
not competent.
tus uas tau ua yam yuav txhaum cai yog tias nws yog neeg laus thiab tsi
muaj feemxyuam rau qhov uas nws ua ntawd yog vim nws lub hlwb tsi
meejpem lossis puas cev lossis yeebvim nws tsi muaj cuabkav paub txog.

A **Juvenile** in need of protection and services is also a person under the age of 10 who
does something that would be a crime if committed by an adult. A Delinquent is a person who is
10 years of age or older, but has not turned 17 and has done something that would be a crime if
committed by an adult.

Tus menyuam uas xwv yuav tsum tau kev pab tivthaiv thiab pabcuam kuj yog ib
tus uas hnuvnyoog yau tshaj 10 xyoo es tau ua tej yam uas yog xam tias yog ib tus
laus ces yog ua txhaum cai lawd. Tus ua txhaum cai yog ib tus neeg uas hnuvnyoog
10 xyoo lossis laus tshaj, tabsis tsi tau muaj 17 xyoo thiab ua tej yam uas yuav yog
txhaum cai yog xam tias yog ib tus neeg laus.

18. How does the intake process work?

Kabke teev ntaubntawv yog zoo li cas?

If a juvenile is alleged to have committed a delinquent act, the law enforcement agency sends the
information to an intake worker. The intake worker must determine if there are enough facts to
establish jurisdiction and whether the matter should be handled as a deferred prosecution
agreement or whether it should be referred to the district attorney. Before that decision is made,
the intake worker meets with the juvenile, the juvenile's parents, guardian or legal custodian at an
intake conference. The juvenile is informed by the intake worker of his/her rights at the intake
conference.

Yog muaj ib tug menyuam raug liam tias nws tau ua txhaum lawd, tub ceev xwm xa cov
txheejxwm mus rau tus intake worker. Tus intake worker yuav tsum sojntsuam seb tej
xwm puas muaj tseeb li cas txog qhov uas tsim nyog nrhiav haukev kho lossis yuav
muab tej xaiv lus no xa mus rau tus kws lijchoj nias cai. Uantej uas yuav txiav txim siab
tau, tus intake worker yuav tsum tau ntsib tug menyuam, tus menyuam niamtxiv, tus

tsom kwm lossis tus uas raug tso cai los tsom kwm nyob hauv lub rooj sib ntsib txog tej ntaub ntawv. Tus intake worker yuav qhia tus menyuam kom paub txog nws txoj cai thaum nyob hauv lub rooj sib tham no.

The juvenile may enter into a deferred prosecution agreement if appropriate or the intake worker may request that the district attorney file a petition for a delinquency finding within forty days of the receipt of the referral information. It is determined that a deferred prosecution agreement is appropriate, the juvenile's case may be handled informally and no court appearance is necessary unless the juvenile violates the deferred prosecution agreement, at which time a request for a petition may be made.

Tus menyuam muaj cuab kav pomzoo nkag rau hauv kev kho rau qhov tsimnyog lossis tus intake worker yuav hais kom tus kws lijchoj nias cai sau ib daim ntawv tshawb nrhiav kev txhaum tsi pub dhau 40 hnuv uas tau txais tej ntaub ntawv xa tus menyuam los ntawd. Yog pom tias qhov uas nrhiav kev kho yog qhov tsimnyog lawd, tus menyuam yuav tsi raug mus tshwm hauv tsev hais plaub tsuas tshwj tias tus menyuam ua yuam tsab cai pomzoo txhim kho no, rau thaum uas tseem ua daim ntawv thov ntawd.

If there is a request for the district attorney to file a delinquency petition, the district attorney has twenty days to decide whether or not to file the petition. If filed, the juvenile is then scheduled for an initial plea hearing where the juvenile either admits or denies the allegations contained in the petition. This appearance will be before a judge or court commissioner. The district attorney and defense attorney are involved in this formal court proceeding.

Yog muaj tus xav kom tus kws lijchoj nias cai sau ntawv hais txim, tus kws lijchoj nias cai muaj 20 hnuv los txiav txim siab seb nws puas yuav sau daim ntawv ntawd los tsi sau. Yog ua daim ntawv no lawd, tus menyuam yuav raug teem mus lees lus seb nws yuav lees txhaum los tsi lees txog tej lus uas luag liam hauv daim ntawd liam txhaum. Qhov uas nws mus lees no yog mus tim ntsej tim muag ntawm ib tus kws txiavtxim lossis tus muaj feem txiavtxim. Tus kws lijchoj nias cai thiab tus kws lijchoj txheem cai muaj feem nyob hauv qhov kabke txiavtxim no tib sis.

19. What is a permanency plan?

Lus khom tseg tso kav ntev mus li yog dabtsi?

A permanency plan is a report prepared by a social worker any time a child is placed outside of the home, except if he or she is placed with relatives. The goal of permanency plan is to return the child home if possible, or to find a place that provides long-term stability. The plan answers the following questions: Why was the child removed from the home? How can they be returned? If they cannot be returned, what are the available options? The plan often includes treatment and counseling recommendations for the child and parents.

Lus khom tseg tso kav ntev mus li yog ib tsab ntawv qhia xwm uas yog ib tug social worker sau tseg lub sijhawm uas muaj ib tug menyuam raug rho tawm hauv tsev mus

nyob lwm qhov, tsuas tshwj tias yog nws raug tso nrog cov txheeb ze nyob xwb. Lub homphiaj ntawm cov lus khom tseg tso kav ntev mus li yog khom cia rau qhov uas npaj xa tug menyuam rov mus rau hauv nws lub vaj lub tsev, lossis nrhiav ib qho chaw uas yuav nyob tau ruaj khov rau nws. Yuav ua cas lawv thiaj rov tau? Yog tias lawv rov tsi tau, puas muaj lwm txoj kev ntxiv lawm? Cov kev khom no muaj kev tu thiab saibxyuas nplijnpliag rau tus menyuam thiab niamtxiv huvsi.

20. What happens at the initial appearance?

Yuav muaj dabtsi thaum uas mus thawj zaug rau hauv chav txiavtxim?

At the initial plea hearing, the judge will ask you how you wish to plead to the allegation in the delinquency petition. You have two options- to admit or deny the allegations. If you admit the allegations, then the case will be set for an admission hearing and a dispositional hearing and you will be found guilty. If you enter a denial, the case is then set for a pretrial conference and later for a fact-finding hearing if the case is not resolved at the pretrial conference. You have other decisions to make at the pleas hearing. You may wish to ask for a substitution of the judge if this is your first case, or if you have never been found delinquent before. If you have, you no longer have the right to substitute the judge. You may also decide whether you wish to have your case completed within thirty days of the plea hearing or if you wish to waive the statutory time limits and have the case extended beyond the thirty-day limit. Your attorney will discuss with you all of your rights and possible dispositions of the case at the time of the plea hearing.

Ntawm qhov chaw lees lus, tus kws txiavtxim yuav nug koj seb koj yuav lees lus li cas txog tej kev txhaum ntawd. Koj muaj 2 txoj haukev - lees kiag lossis tsi lees xwb. Yog koj lees, ces luag yuav teem sijhawm mus lees thiab yuav hais tej lus teemtxim thiab luag yuav pom tias koj tau ua txhaum lawm. Yog koj tsi lees, ces luag yuav teem sijhawm sib tham thiab yuav nrhiav timkhawv lus tseeb yog hais tsi tag rau thaum hais thawj zaug. Koj muaj lwm yam kev txiaiv txim siab thaum sib hais thawj zaug. Koj muaj cai hloov tus kws txiavtxim yog tias qhov no yog koj thawj zaug, lossis luag tsi tau pom koj muaj txhaum dua los li. Yog koj tau ua txhaum los lawd, koj tsi muaj cai hloov tus kws txiavtxim. Koj muaj cai yuav txiaiv txim siab seb yuav siv 30 hnub los hais koj rooj plaub xwb lossis xav thov zam txoj cai no kom siv sijhawm ntau tshaaj 30 hnub los hais. Koj tus kws lijchoj yuav tham txhua yam txog koj txoj cai rau koj thiab kev teem txim rau thaum hais saum rooj lees lus.

21. What is the difference between formal and informal dispositions?

Yam uas txawv nyob nruabnrab ntawm kev kho saum txoj cai thiab kho sab nraum txoj cai yog li cas?

The key difference between informal and formal dispositions is that formal dispositions are court ordered and violations of a judge's order carry heavier consequences. An informal disposition usually involves a referral from a school or the police to the Department of Social Services. The referral usually contains information about a juvenile who has committed a delinquent act or has been habitually truant from school. The social worker assigned to the case reviews the referral

and makes a decision to either handle it informally or to send it to the District Attorney's Office for charging and formal disposition.

Yam uas txawv nruabnrab ntawm kev kho saum txoj cai thiab kho sab nraum txoj cai yog muaj xwsli, kho saum txoj cai yog kev kho los ntawm kws txiavtxim thiab yog leejtwg hla dhau yuav raug teemtxim nyav mentsis. Qhov uas kho sab nraum txoj cai yog qhov uas sib pab nrhiav kev los kho xwsli yog tsev kawmntawv lossis tsev tub ceevswm xa mus ntsib Department of Social Service. Tej txheejxwm uas nyob hauv tej lus lawv xa mus yog hais txog menyuam tej kev ua txhaum cai lossis pheej mus kawmntawv tsi cuag ncu. Tus social worker uas raug tso saibxyuas yuav rov los ntsuam xyuas thiab txiav txim siab nrhiav kev kho lossis yuav xa mus rau hauv tus kws lijchoj nias cai kom liam txim lossis nrhiav kev kho raws kev raws cai.

The social worker may wish to handle the case informally if he or she believes the interests of the juvenile or the public would not be served with a formal disposition. The social worker will look at factors like the juvenile's age, history of behavior, willingness to cooperate, and the nature of the offense when making this decision. If the worker decides to handle the case informally he or she will have the juvenile and parents sign a deferred prosecution agreement. The agreement states that social services will not refer the matter to the DA's office, if after an agreed period of time, the juvenile complies with the requests of the worker. If the juvenile does not comply, the agreement is terminated and the case is most likely sent to the DA's office to pursue a formal disposition.

Tus social worker yuav cia li nrhiav kev los kho tus menyuam yog tias nws pom tau tias kho raws txoj cai yuav tsi zoo rau tus menyuam thiab lub zejzog. Tus social worker yuav saib rau saum tus menyuam lub hnuvnyoog, nws tus cwjpw yav dhau los, pom tias nws txaus siab hlo koomtes nrog lawv, thiab tej kev txhaum uas nws tau ua uantej lawv txiav txim siab. Yog tus social worker txiav txim siab kho li sab nraum txoj cai nws yuav tseev kom tus menyuam thiab niamtxiv suam npe pomzoo ua li ntawd. Kev pomzoo yuav hais tias, social service yuav tsi hais tej xwm no mus rau tus kws lijchoj nias cai lub chaw ua haujlwm, yog tus menyuam ua raws li tus social worker hais lawm. Yog tus menyuam tsi ua li hais, yuav muab qhov kev pomzoo ntawd tshem tawm thiab yuav xa cov txheejxwm mus rau tus kws lijchoj nias cai qhov chaw ua haujlwm los kho raws kev raws cai.

22. What is a consent decree?

Pomzoo samhwm tseg yog dab tsi?

A consent decree is an agreement made by all of the parties, the juvenile, the juvenile's parents, the social worker, the district attorney, the juvenile's attorney, and the judge that states that the juvenile case can be deferred for a period of six to twelve months to allow the juvenile to follow through on conditions contained in the agreement. You may be asked to admit to one or more charges in the juvenile petition as part of the agreement. If you follow all of the conditions, the case is dismissed after six or twelve months. If you do not follow the conditions, the consent decree is revoked and you are returned to court. If you have already admitted to a delinquency

charge, you will then be found delinquent. If you have not admitted to the delinquency, then the case returns to where the case was a when the consent decree was signed.

Pomzoo los siv lus samhwm tseg yog ib qho kev pomzoo uas txhua tus neeg uas muaj feem koom uake xws li, tus menyuam, tus menyuam niamtxiv, tus social worker, tus kws lijchoj nias cai, tus kws lijchoj rau tus menyuam, thiab tus kws txiavtxim thiab hais tias tus menyuam no cov xaiv lus yuav muab ncuu cia li 6 mus rau 12 lub hlis kom tus menyuam xyau li cov lus pomzoo los ntawm kev siv txoj cai tswj. Koj yuav raug hais kom lees ib lossis ntau tshaj ib lub txhaum uas luag liam nyob hauv tsab ntawv liam txhaum kom raws li hauv kev pomzoo lawd. Yog koj tsi ua ntau yam li hais lawd, cov lus pomzoo los ntawm kev siv txoj cai tswj yuav raug xuam mus thiab koj yuav tau rov pib hais koj tej kev txhaum pib pem hauvpaus uas thaum tsi tau pomzoo los ntawm kev siv txoj cai tswj los mus.